S.B. Criminal Misc. Bail Application No.5004/2006
Date : 08.11.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. Rakesh Arora for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that main accused in the case was Satulal regarding him secret information was received and he was apprehended by the police and he disclosed that he brought Opium from Arjunlal and when Arjunlal was investigation he disclosed that Opium was given to him by present applicant Jagidsh. He submits that the applicant has been involved in the case on the basis of the statement of Arjun Lal. He further submits that Arjunlal has been granted bail by this Court in S.B. Criminal Misc. II Bail Application No.2899/2006 vide order dated

07.08.2006 and the case of present applicant is not different than co-accused, therefore, the applicant may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me.

After hearing learned counsel for the parties and taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicant Jagdish S/o Gopilal shall be released on bail in FIR No.110/2005 P.S. Pratapgarh, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for

his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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